

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re Patent Application of:  
Sujal M. Patel et al.

Application No.: 10/007,003

Confirmation No.: 9714

Filed: November 9, 2001

Art Unit: 2161

For: SYSTEM AND METHODS FOR  
PROVIDING A DISTRIBUTED FILE  
SYSTEM UTILIZING METADATA TO  
TRACK INFORMATION ABOUT DATA  
STORED THROUGHOUT THE SYSTEM

---

Examiner: T. Y. Chen

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Supplemental Information Disclosure Statement is submitted after receipt of a Notice of Allowance but prior to payment of the Issue Fee and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

In response to the Examiner's request in the most recent Office Action, Applicants previously submitted Terminal Disclaimers in the above-referenced application over U.S. Patent No. 7,146,524 and U.S. Application No. 11/880,462.

Although the Examiner is highly familiar with the terminally disclaimed applications and their related prosecution history, Applicants are submitting this Supplemental Information Disclosure Statement which lists the cited references and the prosecution history of U.S. Patent No. 7,146,524 and U.S. Application No. 11/880,462 for the Examiner's convenience.

Under 37 CFR 1.17(p) payment in the amount of \$180.00 is enclosed.

This IDS includes a list (e.g., form PTO/SB/08) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A, B and/or C and fill in blanks, if appropriate.)

- ☒ A. Pursuant to 37 C.F.R. § 1.98(a)(2)(ii), a copy/copies of the U.S. Patent(s) and/or U.S. Patent Application Publication(s) on PTO/SB/08 is/are not being submitted.
- ☐ B. Document(s) \_\_\_\_\_ is (are) deemed substantially cumulative to document(s) \_\_\_\_\_, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.
- ☐ C. Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C. 120:

- ☐ 3. Cite Nos. \_\_\_\_\_ are not in the English language. In accordance with 1.98(b)(3), Applicant states:

- ☐ An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.
- ☐ The requirement for a concise explanation of the relevance of any foreign language document is satisfied by the attached search report; citation of the documents cited in the search report shall not be construed as an admission that they are or are considered to be, material to patentability of the subject matter claimed herein (See MPEP §609).
- ☐ A concise explanation of the relevance of document(s) \_\_\_\_\_ is set forth as follows: [Insert concise explanation of relevance]
- ☐ A concise explanation of the relevance of document(s) \_\_\_\_\_ can be found on page(s) \_\_\_\_\_ of the specification.
- ☐ A concise explanation of document(s) \_\_\_\_\_ can be found on the attached sheet.

- ☒ 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 in the preamble to the final rules; 1135 OG 13 at 20).
- ☒ 5. Other information being provided for the examiner's consideration follows:

European Patent Office, International Search Report for PCT/US2007/018324 mailed 08/05/2008, 2 pgs.

European Patent Office, International Search Report for PCT/US2008/059798 mailed 05/18/2009, 5 pgs.

US Patent and Trademark Office, Office communication for USAN 10/714,326 mailed 12/06/2007.

Response to Office communication filed 05/27/2008 for USAN 10/714,326.

US Patent and Trademark Office, Office communication for USAN 10/714,326 mailed 08/21/2008.

Response to Office communication filed 02/20/2009 for USAN 10/714,326.

Supplemental response to Office communication filed 04/15/2009 for USAN 10/714,326.

US Patent and Trademark Office, Office communication mailed 07/10/2009 for USAN 10/714,326.

Response to Office communication filed 10/13/2009 for USAN 10/714,326.

Response to Office communication filed 06/14/2004 for US 7,146,524.

Response to Office communication filed 12/03/2004 for US 7,146,524.

US Patent and Trademark Office, Notice of Allowance mailed 05/09/2006 for US 7,146,524.

Examiner's Amendment filed 05/09/2006 for US 7,146,524.

US Patent and Trademark Office, Office communication mailed 08/09/2007 for US 7,509,524.

Response to Office communication filed 02/15/2008 for US 7,509,524.

US Patent and Trademark Office, Office communication mailed 05/09/2008 for US 7,509,524.

Response to Office communication filed 10/09/2008 for US 7,509,524.

US Patent and Trademark Office. Notice of Allowance mailed 12/19/2008 for US 7,509,524.

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made and that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Early and favorable consideration is earnestly solicited.

Payment in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee due with this submission to Deposit Account No. 04-0100.

Dated: January 18, 2010

Respectfully submitted,

By /john w branch/  
John W. Branch

Registration No.: 41,633  
DARBY & DARBY P.C.  
P.O. Box 770  
Church Street Station  
New York, New York 10008-0770  
(206) 262-8906  
(212) 527-7701 (Fax)  
Attorneys/Agents For Applicant